

MAR 18 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT****IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 08-90212

ORDER**KOZINSKI**, Chief Judge:

Complainant alleges that the district judge assigned to his civil case was biased against him because he's pro se and friends with another litigant who appeared before the judge. As proof, he attaches adverse rulings from his case and offers the conclusory allegation that these and an assortment of other irrelevant materials clearly prove the subject judge engaged in a great litany of evils (including treason). What he hasn't provided is any objectively verifiable proof (for example, names of witnesses, recorded documents or transcripts) supporting any of these allegations. Because there is no evidence that misconduct occurred, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

In addition to being wholly meritless, complainant's submission is rude and scurrilous. Complainant is advised that a "complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint

procedure, may be restricted from filing further complaints.” Judicial-Conduct Rule 10(a); see In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009).

DISMISSED.